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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,878	06/05/2001	Atul Puri	2001-0161C	6025

7590

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EXAMINER

LEE, Y YOUNG

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/874,878

**Applicant(s)**

PURI ET AL.

**Examiner**

Y. Lee

**Art Unit**

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-26 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/21/04  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8 and 11-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Lennon et al (6,516,090) for the same reasons as set forth in Section 9 of the last office action, dated 5/21/04.

Lennon et al, in Figures 1-11, discloses an automated video interpretation system using the same method of encoding and decoding video content as specified in claims 1-8 and 11-26 of the present invention, the method using a plurality of encoders 254 each associated with one of a plurality of content models (i.e. regions) and including a generic encoder associated with a generic content model 266, the method further uses a plurality of decoders each associated with one of the plurality of content models (Fig. 11) and including a generic decoder associated with the generic content model (i.e. model parameters from 266), the method comprising extracting a portion from the video content 120; mapping the portion to associate a model from the plurality of models 130; if a model is mapped to the portion: encoding the portion using an encoder associated with the portion model (e.g. probabilistic-model); if a model is not

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mapped to the model: encoding the portion using the generic encoder 266; transmitting the portion to a switch 256; if a model is mapped to the portion: routing the portion via the switch to a decoder associated with the portion model decoder (i.e. decoding probabilistic-model); if a model is not mapped to the portion: routing the portion via the switch to the generic decoder (i.e. based on encoded model parameters); connecting an output from each decoder of the plurality of decoders to a second switch (906, 912); and receiving output from each decoder of the plurality of decoders to assemble the decoded segments for display 904.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennon et al (6,516,090) in view of Madden et al (6,124,864).

Although Figure 3 of Lennon et al discloses that the portion model is chosen from probabilistic models such as action, slow, scene details, light changes, and information associated with properties of the scene and special effects, it is noted Lennon et al differs from the present invention in that it fails to disclose the complete list of models as specified in claims 9 and 10. Madden et al however, in Figures 3-6, teaches the concept of such well known video classifications such as action, scene detail, camera handling, animation, and special effects. Therefore, one of ordinary skill in the art would have had no difficulty in exploiting the segmentation techniques as well as other common video segment models as taught by Madden et al in the encoding and decoding method of Lennon et al, in order to improve the accuracy and efficiency of image-based techniques applied to the scene.

#### ***Response to Arguments***

6. Applicant's arguments filed 8/23/04 have been fully considered but they are not persuasive. Applicant asserts on pages 10-11 of the Remarks that Lennon et al do not teach a plurality of encoders. However, Figure 11 of Lennon et al illustrates the concept of such encoders (e.g. 252, 254, 266).

Applicant also asserts on pages 11-12 of the Remarks that Lennon et al fails to disclose any decoding process. However, Figure 1, element 160 and column 13, lines 57-65 of Lennon et al discloses the concept of reconstruction of an already encoded digital video signal.

In response to applicants challenge on page 13 of the Remarks that the models are not well known in the art, it is submitted that Madden et al teaches the concept of such well known portion models. The newly cited reference is responsive to Applicant's challenge in support of Examiner's position that the list of information associated with the model is notoriously well known in the art.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. Lee whose telephone number is (703) 308-7584. The examiner can normally be reached on (703) 308-7584.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Y. Lee  
Primary Examiner  
Art Unit 2613

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